



PATENT
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I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Liane M. Malcos

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xinnian Dong et al. Art Unit: 1638
Serial No.: 08/908,884 Examiner: Anne R. Kubelik
Filed: August 8, 1997 Customer No.: 21559
Title: NUCLEIC ACIDS ENCODING A PROTEIN THAT CONFERS
RESISTANCE TO A PLANT PATHOGEN AND USES THEREOF

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND
INTERFERENCES UNDER 37 C.F.R. § 41.31

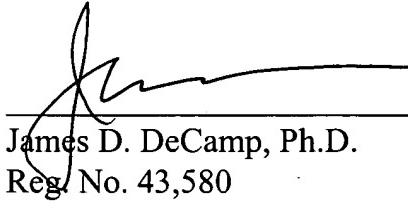
Applicants respectfully appeal to the Board of Patent Appeals and Interferences
from the decision dated May 26, 2005, in which the Office finally rejected claims 1, 2, 4-
13, 15-29, 36, 40-42, and 47-54 of the above-captioned patent application.

Enclosed pursuant to 37 C.F.R. § 1.136 is a Petition to extend the period for
replying to the final rejection for three months, to and including November 28, 2005, as
November 26, 2005, was a Saturday.

Also enclosed is a check in the amount of \$250.00 for the fee required by
37 C.F.R. § 41.20(b)(1) for this Notice of Appeal. If there are any additional charges or
any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 28 November 2005


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